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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,450	04/03/2001	William Wheeler	L0562/7015	1789

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EXAMINER

MCCLELLAN, JAMES S

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,450

Applicant(s)

WHEELER ET AL.

Examiner

James S McClellan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-18 and 20-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-18 and 20-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment

1. Applicant's submittal of an amendment was entered on June 4, 2004 wherein:
 - claims 1, 3-18, and 20-50 are pending;
 - claims 2 and 19 have been canceled; and
 - claims 1, 3, 6, 17, 29, 31-33, 38, 39, and 47 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-10, 12-18, 20-28, 33-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,156,988 (hereinafter "Baker") in view of Jones.

Baker discloses a method and system for managing movement of interoffice items: the system generating and storing a record for each item (see column 4, lines 57-61); a bar code tag for each item be utilized at selected points in transport (see column 1, line 45); the system checks for the most current address using a directory and forward the item to that location (see column 4, lines 29-41); and mail codes from outside mail rooms are accessed (see column 3, lines 33-37).

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Baker fails to explicitly disclose user queries related to item tracking and corresponding item status information related to user defined preferences.

As set forth above, Jones discloses user queries related to item tracking and corresponding item status information related to user defined preferences (see column 8, lines 40-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker with user tracking capabilities as taught by Jones, because allowing a user to track items will enhance the users knowledge of upcoming deliveries, wherein the user can better anticipate activities related to the delivered item.

4. Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Jones as applied to claims 1, 9, 13, 33 above, and further in view of Official Notice.

Regarding claim 11, the Examiner takes Official Notice that is old and well known to notify a mail room when an item is delivered (for example, item confirmation).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker/Jones with mail room notification as is well known in the art, because providing the mail room with delivery confirmation allows them to track the successfulness of their delivery.

If it is determined that Baker fails to disclose the limitations of claim 17, then the Examiner takes Official Notice that user defined forwarding address usage is old and well known.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker/Jones with mail forwarding as is well known in the art, because mail forwarding allows items to be delivered when customers have moved locations.

5. Claims 29-31 and 47-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,278,936 (hereinafter "Jones") in view of U.S. Patent No. 6,156,988 (hereinafter "Baker").

Jones discloses a method and system for uses of a mail system to selectively track movements of items through the system (see column 6, lines 9-23) including: each user entering preferences as to selected conditions under which the user is receive electronic messages concerning an item (see column 8, lines 40-67); the system tracking movement of items through the system (see column 6, lines 9-23); and the system sending an e-mail status message to the user when one of the user preferences conditions is satisfied (see column 8, lines 56-58 and column 9, lines 47-49). Jones sends automatically sends a message when the item is delivered. The recipient can query the system related to items (see column 3, lines 3-5).

Jones fails to explicitly disclose the use of the mail delivery system within an organization.

Baker disclose interoffice organization mail delivery.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jones with interoffice delivery as taught by Baker, because large organizations require interoffice delivery systems for efficient and accurate delivery of mail.

6. Claims 32 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Baker as applied to claims 29 and 47 above, and further in view of Official Notice.

Jones and Baker fail to explicitly disclose the sender queries regarding item status.

The Examiner takes Official Notice that is old and well known at the time the invention was made for senders (for example, retailers) to query package delivery couriers as the location and status of the packages they mailed to customers.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jones/Baker with sender status updates as is well known in the art, because providing the sender with status update queries allows the sender to better serve their customers by actively participating in the delivery process.

Response to Arguments

7. Applicant's arguments filed June 4, 2004 have been fully considered but they are not persuasive.

On page 13, third paragraph, Applicant argues that Jones is not directed to an interoffice mail system. Applicant's argument is moot in view of the new grounds of rejection necessitated by the current amendment to the claims.

On page 13, fourth paragraph, Applicant argues that Baker discloses an interoffice mail system but fails to include information identifying the sender or recipient. The Examiner respectfully disagrees. In column 4, lines 28-41, Baker discloses identifying recipient information on the delivery item.

On page 13, Applicant broadly states that certain features of claims 1, 29, 33, and 47 are not disclosed or taught by the prior art. The Examiner respectfully disagrees. Regarding claim 1, Baker disclose a directory of entities within an organization (see column 4, lines 28-40) and

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Jones is relied upon to disclose a plug in for email (see column 9, lines 48-49). The new limitations of claims 29 and 47 related to interoffice mail are taught by Baker (see new rejection set forth above).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

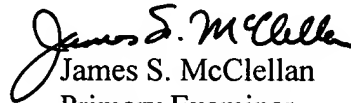
Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington D.C. 20231

or faxed to:

(703) 872-9306 (Official communications) or
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA, 7th floor receptionist.


James S. McClellan
Primary Examiner
A.U. 3627

jsm
September 15, 2004